

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: DIANA D. PALMER, R.N.

CONSENT ORDER

The Virginia Board of Nursing (the "Board") and Diana D. Palmer, R.N., enter into the following Consent Order affecting Ms. Palmer's license to practice professional nursing.

FINDINGS OF FACT

1. Diana D. Palmer, R.N., holds License No. 0001-082019 to practice professional nursing in the Commonwealth of Virginia.

2. By Consent Order entered March 24, 1987, Ms. Palmer's license to practice professional nursing was placed on probation due to her diversion of certain schedule II controlled substances. Subsequently, by Consent Order entered September 6, 1988, Ms. Palmer's license was suspended due to her diversion of certain schedule II controlled substances. By Consent Order entered January 30, 1991, Ms. Palmer's license was reinstated on probation. By Order entered March 24, 1993, Ms. Palmer was successfully terminated from probation and issued an unrestricted license to practice nursing.

3. During the course of her employment with Stuart Circle Hospital, Richmond, Virginia:

- a. On February 26, 1995, at 2400, Ms. Palmer signed out 30ml Tylenol with codeine for Patient A; however, she documented administering the controlled substance at 0200 in the nursing notes.

- b. On March 1, 1995, at approximately 8:00 p.m., Ms. Palmer failed to attend to Patient A, who was assigned to her care, when the patient self-extubated his tracheostomy tube. In fact, when she was paged to attend to the patient, she failed to respond and failed to check on this patient during the approximate 30 minute time frame it took co-workers to stabilize him.
- c. On March 1, 1995, at approximately 8:00 p.m., Ms. Palmer was observed removing medication from the locked narcotic box; however, she failed to sign out any medication in the narcotic log. A narcotic count conducted at 11:30 p.m., at the end of Ms. Palmer's shift, indicated a loss of one (1) 10mg Valium pre-filled syringe. An empty Valium syringe was found in Patient A's medication disposal box, and the outer cardboard container was found in the trash bag attached to Ms. Palmer medication cart. This patient did not have a current physician's order for Valium, and Ms. Palmer did not sign out the medication or document administering it to this patient.
- d. On March 1, 1994, at approximately 10:15 p.m., Ms. Palmer incorrectly programmed Patient B's intravenous pump in that, she programmed the pump to infuse morphine at a rate of 500 cc. per hour instead of the ordered 95cc. per hour.
- e. On March 1, 1995, Ms. Palmer was unable to perform her nursing duties with skill and safety to patient in that

she exhibited slow and slurred speech; unsteady stance; appeared sleepy, confused, disorientated and distracted; was unable to appropriately prioritize patients needs; was unable to recall incidents which occurred during her shift; and could not be located on the unit for extended periods of time. Ms. Palmer refused to submit to a urine drug screen when requested. As a result, her employment was terminated.

4. By her own admission, on February 28, and March 1, 1995, Ms. Palmer self-administered various amounts of Vicodin and Percocet while on duty. She admits that on March 1, 1995, at approximately 8:00 p.m., she realized she was "too impaired to drive home"; however, she continued to provide nursing care.

CONCLUSIONS OF LAW

The Board concluded that Findings of Fact #2 through #4 constitute a violation of § 54.1-3007(2), (3), (5), (6) and (8) of the Code of Virginia (1950), as amended, and § 4.1B(3) of the Board of Nursing Regulations.

CONSENT

Diana D. Palmer, by affixing her signature hereon, agrees to the following:

1. She acknowledges that she has been specifically advised to seek advice of counsel prior to signing this document;
2. She acknowledges that she is fully aware that without her consent, no legal action can be taken against her license except

pursuant to the Virginia Administrative Process Act, § 9-6.14:1, et seq, of the Code of Virginia (1950), as amended;

3. She acknowledges that she has the following rights among others: the right to a formal fact finding hearing before the Board, to reasonable notice of said hearing, to representation by counsel and the right to cross-examine witnesses against her;

4. She waives all such right to a formal hearing;

5. She waives her right to contest the foregoing Findings of Fact in any subsequent proceeding before the Board;

6. She consents to the entry of the following Order affecting her license to practice professional nursing in the Commonwealth of Virginia.

ORDER

On the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS that License No. 0001-082019 issued to Diana D. Palmer, R.N., to practice professional nursing in the Commonwealth of Virginia, be and hereby is INDEFINITELY SUSPENDED. At such time as she shall petition the Board for reinstatement of her license, a hearing will be convened to receive evidence satisfactory to the Board that she is capable of resuming the safe and competent practice of nursing.

Pursuant to § 9-6.14:14 of the Code of Virginia (1950), as amended, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspections or copying on request.

FOR THE BOARD

Corinne F. Dorsey

Corinne F. Dorsey, R.N.
Executive Director

ENTERED September 6, 1995

SEEN AND AGREED TO:

Diana D. Palmer R.N.
Diana D. Palmer, R.N.

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF HENRICO, to-wit:

Subscribed and sworn to before me, RICHARD G. CHALKLEY
a Notary Public, by Diana D. Palmer, R.N., this 5TH day of
SEPTEMBER, 1995.

My commission expires the 31ST day of DECEMBER 1995

Richard G. Chalkley
Notary Public

RECEIVED: Sept 18, 1995

BY: John W. Hasty
John W. Hasty, Director
Department of Health Professions